

**ELIZABETH II**



**1970 CHAPTER li**

An Act to confer further powers upon the lord mayor, aldermen and citizens of the city of Manchester and to make further provision with regard to the local government, lands and finances of the city and with regard to pensions; and for other purposes.

[23rd July 1970]

**WHEREAS—**

(1) The city of Manchester (in this Act called “ the city ”) is a county borough under the management and local government of the lord mayor, aldermen and citizens of the city (in this Act called “ the Corporation ”):

(2) It is expedient that further and better provision should be made with reference to the local government, lands and finances of the city and with respect to pensions:

(3) In 1760 the churchwardens of the parish of Manchester acquired a plot of land (in this Act called “ the burial ground ”) for a public burial ground and in 1788 the burial ground was closed to burials. By the Manchester Corporation Waterworks and Improvement Act 1867 the burial ground was vested in the 1867 c. xxxvi.

Corporation and in 1868 the Corporation conveyed part of the burial ground to the Governors of the Hospital and Library in Manchester founded by Humphrey Chetham, Esquire, and incorporated by King Charles the Second:

(4) St. John's Church was built in pursuance of powers conferred by the Act 9 Geo. III c. 60. By Orders in Council dated respectively 8th June, 1854, 5th June, 1858 and 9th February, 1901, burials in the churchyard of the said church were discontinued. In 1930 the Corporation acquired the said churchyard for maintenance as an open space:

(5) It is expedient that the burial ground and part of the said churchyard (in this Act called "the churchyard") be freed from all restrictions which may affect the same including the effects of consecration and that the provisions of this Act with respect thereto be enacted:

(6) Plans respectively showing the burial ground and the churchyard were in November, 1969, deposited in the office of the Clerk of the Parliaments and in the Private Bill Office of the House of Commons and with the town clerk of the city:

(7) It is expedient that the other provisions contained in this Act be enacted:

(8) The purposes of this Act cannot be effected without the authority of Parliament:

1933 c. 51.

(9) In relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

May it therefore please Your Majesty that it may be enacted, and be it enacted, by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, that is to say:—

## PART I

### PRELIMINARY

Short and collective titles.

1.—(1) This Act may be cited as the Manchester Corporation Act 1970.

(2) The Manchester Corporation Acts 1844 to 1967, and this Act may be cited together as the Manchester Corporation Acts 1844 to 1970.

Division of Act into Parts.

2. This Act is divided into Parts, as follows:—

Part I.—Preliminary.

Part II.—Hackney carriages, etc.

Part III.—Burial grounds.

Part IV.—Finance.

Part V.—Employees and pensions.

Part VI.—Miscellaneous.

Part VII.—General.

PART I  
—cont.

3.—(1) In this Act the several words and expressions to which Interpretation. meanings are assigned by section 343 of the Public Health Act 1936 c. 49. 1936 have the same respective meanings, unless there be something in the subject or context repugnant to such construction.

(2) In this Act, unless the subject or context otherwise requires—

“ the Act of 1844 ” means the Act passed in 1844 entitled 1844 c. xl.

“ An Act for the good Government and Police Regulation of the Borough of Manchester ”;

“ the Act of 1847 ” means the Town Police Clauses Act 1847; 1847 c. 89.

“ the Act of 1920 ” means the Manchester Corporation Act 1920; 1920 c. xcvi.

“ the Act of 1933 ” means the Local Government Act 1933; 1933 c. 51.

“ the Act of 1936 ” means the Public Health Act 1936;

“ the Act of 1967 ” means the General Rate Act 1967; 1967 c. 9.

“ the city ” means the city of Manchester;

“ contravention ” includes a failure to comply, and “ contravene ” shall be construed accordingly;

“ the Corporation ” means the lord mayor, aldermen and citizens of the city acting by the council;

“ the council ” means the council of the city;

“ enactment ” includes an enactment in this Act or in any general or local Act, and any order, byelaw, scheme or regulation for the time being in force within the city;

“ financial year ” means a period of twelve months ending on 31st March;

“ the general rate ” and “ the general rate fund ” mean respectively the general rate and the general rate fund of the city;

“ hereditament ” has the same meaning as in the Act of 1967;

“ the Minister ” means the Minister of Housing and Local Government;

“ the town clerk ” and “ the treasurer ” mean respectively the town clerk and the treasurer of the city;

“ unit trust scheme ” means any arrangements made for the purpose, or having the effect, of providing facilities for the participation by persons, as beneficiaries under a trust, in profits or income arising from the acquisition, holding, management or disposal of securities or any other property whatsoever.

(3) Except where the context otherwise requires, any reference in this Act to any enactment shall be construed as a reference to that enactment as applied, extended, amended or varied by or by virtue of any enactment including this Act.



## PART II

## HACKNEY CARRIAGES, ETC.

Interpretation  
for Part II.

4. In this Part of this Act, unless the subject or context otherwise requires—

“hackney carriage” has the same meaning as in the Act of 1847 save that it does not include a public service vehicle;

“hackney carriage byelaws” means the byelaws for the time being in force relating to hackney carriages made by the Corporation under sections 174 and 175 of the Act of 1844, section 68 of the Act of 1847, section 32 of the Manchester Corporation Waterworks and Improvement Act 1872, sections 56, 57 and 58 of the Manchester Corporation Act 1914 and section 92 of the Manchester Corporation Act 1924;

“the prescribed distance” means the distance prescribed by the hackney carriage byelaws as the distance to which hackney carriages may be compelled to take passengers or goods;

“private hire vehicle” (except in section 5 (Signs or notices on, and advertisements in connection with, private hire vehicles) of this Act) means a vehicle to which the provisions of section 26 (Provisions as to motor vehicles let for hire) of the Manchester Corporation Act 1962 apply;

“public service vehicle” has the same meaning as in section 117 of the Road Traffic Act 1960.

1872 c. xxxi.  
1914 c. cxlvi.  
1924 c. xcv.

1962 c. xxx.

1960 c. 16.

Signs or  
notices on, and  
advertisements  
in connection  
with, private  
hire vehicles.

5.—(1) On and after the appointed day there shall not, in the city, be displayed on any private hire vehicle any sign or notice—

(a) which consists of or includes the word “taxi” or “cab”, whether in the singular or plural and whether alone or as part of another word; or

(b) which consists of the words “for hire”, or the form or wording of which is in any other way such as to suggest that the vehicle on which it is displayed is presently available to take up any passenger wishing to hire it, or would be so available if not already hired.

(2) On and after the appointed day no advertisement—

(a) indicating that motor vehicles can be hired on application to a specified address or telephone number, being the address or telephone number of premises in the city; or

(b) on or near any such premises indicating that motor vehicles can be hired at those premises,

shall include the word “taxi” or “cab”, whether in the singular or plural and whether alone or as part of another word, unless the vehicles offered for hire are hackney carriages or the advertisement makes it clear that they are not.

(3) Any person who—

- (a) drives a vehicle in respect of which subsection (1) of this section is contravened or causes or permits that subsection to be contravened in respect of any vehicle; or
- (b) subject to subsection (4) of this section, issues, or causes to be issued, an advertisement which contravenes subsection (2) of this section,

shall be guilty of an offence and liable, in the case of a first offence under the paragraph of this subsection in question, to a fine not exceeding twenty pounds and, in the case of a second or subsequent offence under that paragraph, to a fine not exceeding fifty pounds.

(4) Where a person is charged with an offence under paragraph (b) of subsection (3) of this section, it shall be a defence to prove that he is a person whose business it is to publish or arrange for the publication of advertisements and that he received the advertisement in question for publication in the ordinary course of business and did not know and had no reason to suspect that its publication would amount to an offence under that paragraph.

(5) In this section—

“advertisement” includes every form of advertising, whether in a publication or by the display of notices or by means of circulars or other documents or by an exhibition of photographs or a cinematograph film, or by way of sound broadcasting or television, and references to the issue of an advertisement shall be construed accordingly;

“private hire vehicle” means a motor vehicle, other than a hackney carriage or public service vehicle, which is used within the prescribed distance for the purpose of carrying passengers for hire or reward.

(6) (a) In this section “the appointed day” means such day as may be fixed by resolution of the council subject to and in accordance with the provisions of this subsection.

(b) The Corporation shall cause to be published in a local newspaper circulating in the city notice—

(i) of the passing of any such resolution and of the date fixed thereby, and

(ii) of the general effect of the provisions of this section coming into operation as from that date;

and the date so fixed shall not be earlier than the expiration of one month from the date of publication of the said notice.

(c) Either—

(i) a copy of any such newspaper containing any such notice; or

(ii) a photostatic or other reproduction certified by the town clerk to be a true reproduction of a page or part of a



PART II  
—cont.

page of any such newspaper bearing the date of its publication and containing any such notice;

shall be evidence of the publication of the notice and of the date of the publication.

1965 c. xlii.

(7) Section 16 (Misleading signs on motor vehicles) of the Manchester Corporation Act 1965 shall be repealed as from the appointed day.

Fixing of  
fares for  
hackney  
carriages.

6.—(1) The Corporation may fix the rates or fares, as well for time as distance, to be paid in respect of the hire of hackney carriages plying for hire within the prescribed distance by means of a table (hereinafter in this section referred to as a “table of fares”) made or varied in accordance with the provisions of this section.

(2) (a) When the Corporation make or vary a table of fares they shall publish in at least one newspaper circulating in the city a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than fourteen days from the date of the first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of fourteen days from the date of the first publication thereof be deposited at the office of the town clerk and shall at all reasonable hours be open to public inspection without payment.

(3) If no objection to a table of fares or variation is duly made within the period specified in the notice referred to in subsection (2) of this section, or if all objections so made are withdrawn, the table of fares or variation shall come into operation on the date of the expiration of the period specified in the notice or the date of the withdrawal of the objections or, if more than one, of the last objection, whichever date is the later.

(4) If objection is duly made as aforesaid and is not withdrawn, the table of fares or variation shall be of no effect unless and until it is confirmed by the Secretary of State and before confirming a table of fares or variation the Secretary of State may, if he thinks fit, cause a local inquiry to be held into the same and, after considering the report of the person who held the inquiry, may confirm the table of fares or variation with or without modification.

(5) A table of fares made or varied under this section shall have effect for the purposes of the Act of 1844 and the Act of 1847 as if included in the hackney carriage byelaws.

(6) On the coming into operation of a table of fares made under this section, any hackney carriage byelaws fixing the rates and fares, or any table of fares previously made under this section, shall cease to have effect.

(7) Section 252 of the Act of 1933 shall extend and apply to a table of fares made or varied under this section as it applies to byelaws made by the Corporation.

PART II  
—cont.

7.—(1) For the purposes of their functions under the Act of 1844 and the Act of 1847, the Corporation may from time to time appoint stands for hackney carriages for the whole or any part of a day in any street in the city and, with the consent of the owner, on any land not forming part of a street.

Stands for  
hackney  
carriages.

(2) Before appointing any stand for hackney carriages in exercise of the powers of this section, the Corporation shall give public notice of the proposal by advertisement in a local newspaper circulating in the city and shall take into consideration any objections or representations in respect of such proposal which may be made to them in writing within twenty-eight days of the first publication of such notice.

(3) Nothing in this section shall empower the Corporation to appoint any such stand—

(a) so as unreasonably to prevent access to any premises, or in any station, of the British Railways Board except with their consent; or

(b) so as unreasonably to prevent access to any station or depot of any passenger road transport operators except with their consent.

(4) Any hackney carriage byelaws made by the Corporation before the passing of this Act for fixing stands for hackney carriages shall cease to have effect, but any stands fixed by such byelaws shall be deemed to have been appointed under this section.

8.—(1) No person shall cause or permit any vehicle other than a hackney carriage licensed to ply for hire within the prescribed distance to wait on any stand for hackney carriages during any period for which that stand has been appointed or is deemed to have been appointed by the Corporation under the provisions of section 7 (Stands for hackney carriages) of this Act.

Prohibition  
of other  
vehicles  
on hackney  
carriage  
stands.

(2) If any person contravenes the provisions of this section, he shall be liable in the case of a first conviction to a fine not exceeding ten pounds and in the case of a second or subsequent conviction to a fine not exceeding twenty pounds.

9.—(1) If a hackney carriage or a private hire vehicle licensed by the Corporation under the Act of 1844 or the Act of 1847 is transferred to a person other than the proprietor or part proprietor whose name is specified in the licence for the hackney carriage or vehicle, the proprietor or part proprietor shall before or within seven days after such transfer give notice thereof in writing to

Transfer of  
hackney  
carriages, etc.



PART II  
—cont.

the Corporation specifying the name and address of the person to whom the hackney carriage or vehicle will be or has been transferred and the licence shall be deemed to be revoked if the Corporation disapprove the transfer of the licence to that person and the hackney carriage or vehicle is or has been transferred to him:

Provided that the Corporation shall not disapprove the transfer of a licence to a person except upon the ground that he is not a fit and proper person to hold such a licence.

(2) Any person aggrieved by a disapproval by the Corporation under this section may appeal to a court of quarter sessions.

(3) If a proprietor or part proprietor fails to give notice to the Corporation as provided by subsection (1) of this section he shall be liable to a fine not exceeding twenty pounds.

Recovery of  
charges for  
inspections.

10. The Corporation may, if the council so resolve, recover (either before or after the carrying out of an inspection) from the proprietor of a hackney carriage or private hire vehicle reasonable charges in respect of the cost of the carrying out by or on behalf of the Corporation of inspections of the hackney carriage or vehicle for the purpose of determining whether a licence should be granted or renewed therefor under the Act of 1844 or the Act of 1847.

Fees for  
drivers'  
licences.

1967 c. xl.

11.—(1) Notwithstanding anything contained in section 146 of the Act of 1844, section 46 of the Act of 1847 or section 43 (Alteration of fees for licences, etc.) of the Manchester Corporation Act 1967, the fee payable for every licence granted to a driver of a hackney carriage or private hire vehicle shall be one pound for the first licence so granted and five shillings for any succeeding licence.

(2) Section 43 (Alteration of fees for licences, etc.) of the Manchester Corporation Act 1967 and Schedule 1 to that Act shall have effect as if the reference to section 146 (Licensing of hackney carriage drivers) of the Act of 1844 were omitted from the said Schedule 1 and there were inserted the following words at the end of that schedule:—

“ Manchester Corporation Act 1970—

Section 11 (Fees for drivers' licences) The Secretary of State.”

Suspension  
and  
revocation of  
proprietors'  
licences.

12.—(1) Notwithstanding anything in the Act of 1844 or the Act of 1847, the Corporation may suspend or revoke the licence of a proprietor of a hackney carriage or a private hire vehicle—

(a) on the ground of the unfitness of the hackney carriage or vehicle; or



(b) for any other reasonable cause;  
and where the Corporation suspend or revoke such a licence under this subsection they shall give to any such proprietor notice of the grounds on which the licence has been suspended or revoked:

Provided that nothing in this section shall empower the Corporation to revoke the licence of a proprietor of a hackney carriage or private hire vehicle on the ground of the bankruptcy of the proprietor.

(2) Any such proprietor aggrieved by a decision of the Corporation under this section may appeal to a court of quarter sessions.

13.—(1) Notwithstanding anything in the Act of 1844 or the Act of 1847, the Corporation may suspend or revoke the licence of a driver of a hackney carriage or a private hire vehicle—

Suspension and revocation of drivers' licences.

(a) on the ground that he has since the granting of the licence been convicted of an offence involving dishonesty, indecency or violence; or

(b) for any other reasonable cause.

(2) Any such driver aggrieved by a decision of the Corporation under this section may appeal to a court of quarter sessions.

14. Any person acting on behalf of the Corporation and duly authorised in writing by the town clerk shall have power at all reasonable times to inspect any hackney carriage in the city and any private hire vehicle in the city which is for the time being licensed by the Corporation under the Act of 1844 or the Act of 1847 for the purpose of ascertaining its fitness, and if he is not satisfied as to the fitness of the hackney carriage or vehicle or as to the accuracy of its taximeter he may by notice in writing require the proprietor of the hackney carriage or vehicle to make it or its taximeter available for further inspection at such reasonable time and place as may be specified in the notice and suspend the licence of the proprietor until such time as such authorised person is so satisfied or until the expiration of a period of two months, whichever shall first occur.

Fitness of hackney carriages, etc.

15.—(1) Notwithstanding anything in the Act of 1844 or the Act of 1847 the Corporation shall not grant a licence to act as a driver of a hackney carriage or a private hire vehicle—

Qualifications for drivers of hackney carriages, etc.

(a) to any person under such age as the council may by resolution from time to time determine, not being less than the age of twenty-one years;

PART II  
—cont.  
1960 c. 16.

(b) to any person who has not for at least twelve months been the holder of a licence granted under Part II of the Road Traffic Act 1960 (not being a provisional licence) authorising him to drive a motor car.

(2) Notice of any resolution passed by the council under paragraph (a) of subsection (1) of this section shall be published by the Corporation in at least one newspaper circulating in the city.

(3) Nothing in paragraph (a) of subsection (1) of this section shall prevent the Corporation from granting a licence to act as a driver of a hackney carriage or private hire vehicle to any person who at the date of the passing of a resolution under the said paragraph was the holder of such a licence.

Penalty on persons refusing to pay fare.

16. Any person who, within the prescribed distance, on completion of the hire of a hackney carriage licensed by the Corporation under the Act of 1844 or the Act of 1847, refuses to pay the fare lawfully due from him in respect of the hiring shall be liable to a fine not exceeding twenty pounds.

Corporation may extend period of hackney carriage drivers' licences, etc. 1875 c. clxi.

17. Notwithstanding anything in section 48 (As to licences for hackney carriages) of the Manchester Corporation Waterworks and Improvement Act 1875 or in that section as applied to private hire vehicles by any byelaws made by the Corporation, any licence granted by the Corporation to the driver of a hackney carriage or a private hire vehicle shall, if the Corporation think fit, remain in force for such period not exceeding three years from the date of such licence as they may determine:

Provided that nothing in this section shall affect the powers of the Corporation to suspend or revoke such a licence.

Power to require applicants to submit information.

18.—(1) The Corporation may require any applicant for a licence to drive a hackney carriage or a private hire vehicle to submit to the Corporation such information as to the physical fitness of the applicant and as to the character of the applicant as they may consider necessary to enable them to determine whether to grant such licence.

(2) If a person knowingly or recklessly makes a false statement in giving information under this section he shall be liable to a fine not exceeding fifty pounds.

Provision as to byelaws.

19. The proviso to section 175 (Bye Laws may be repealed) of the Act of 1844 (which provides that no byelaws shall be made under that section unless at least two-thirds of the whole number of the council shall be present) is hereby repealed.



PART III

BURIAL GROUNDS

20. In this Part of this Act unless the subject or context otherwise requires— Interpretation  
for Part III.

“ the burial ground ” means the land forming the site of the old parochial cemetery or burial ground situated partly within the curtilage of Chetham’s Hospital and partly in Fennel Street in the city shown coloured pink on the plan of Chetham’s Hospital burial ground referred to in the preamble to this Act;

“ the churchyard ” means the lands comprising part of the churchyard appurtenant to the former church of St. John, situated in Byrom Street in the city, which said lands are shown coloured pink on the plan of St. John’s Churchyard referred to in the preamble to this Act;

“ the owner ” means the Corporation or the person in whom the burial ground or the churchyard respectively or any part thereof are or is for the time being vested.

21. As from the passing of this Act the burial ground and the churchyard shall be freed and discharged from all trusts, uses, obligations, disabilities and restrictions whatsoever (including the effects of consecration) which immediately before the passing of this Act attached thereto under ecclesiastical law or otherwise, and from all rights and interests of any person who is an executor, administrator or relative of any deceased person whose remains are interred in the burial ground or the churchyard or any part thereof, and from all other trusts, uses, obligations, disabilities and restrictions whatsoever which attached thereto immediately before the passing of this Act by reason of the burial ground or the churchyard or any part thereof having been or formed the enclosure of a church, or having been used or set apart for the interment of human remains: Discharge of  
trusts, etc.,  
and saving  
for private  
rights.

Provided that nothing in this Act shall operate to affect prejudicially any private right or easement over the burial ground or the churchyard or any part thereof which attached thereto immediately before the passing of this Act.

22. Notwithstanding anything contained in any enactment, but subject to the provisions of this Act, it shall be lawful at any time after the passing of this Act to use, deal with or dispose of the burial ground and the churchyard, or any part thereof, for any purpose in like manner as if no part thereof had ever been or formed the enclosure of a church, or been used or set apart for the interment of human remains. Power to use  
burial ground  
and  
churchyard for  
other  
purposes.

PART III  
—*cont.*  
Removal of  
human  
remains from  
burial ground  
and  
churchyard.

23.—(1) The owners shall remove or cause to be removed from the burial ground and the churchyard the remains of any deceased person which may be found to have been interred therein and may cause such remains to be removed to and reinterred in any consecrated burial ground or cemetery in which burials may legally take place (but in the case of a churchyard only with the consent of the incumbent of the benefice concerned) or be removed to and cremated in any crematorium:

Provided that if it appears to the Secretary of State that compliance with any of the requirements of this subsection is in all the circumstances unnecessary in relation to the burial ground or the churchyard or any part thereof he may dispense (on such conditions, if any, as he thinks fit) with compliance with those requirements in relation to those remains.

(2) Upon any removal of remains from the burial ground or the churchyard a certificate of removal and reinterment or cremation shall be sent to the Registrar General by the owners giving the dates of removal and reinterment or cremation respectively and identifying the place from which the remains were removed and the place in which they were reinterred or cremated.

(3) The removal of the remains of any deceased person under this section shall be carried out in accordance with directions given by the Secretary of State.

#### PART IV

#### FINANCE

Power to  
borrow.

24.—(1) The Corporation may borrow—

- (a) such sums as may be necessary for any of the purposes of this Act;
- (b) without the consent of any sanctioning authority, such sums as may be necessary for paying the costs, charges and expenses of this Act;

and, subject to the provisions of this section, Part IX of the Act of 1933 shall have effect as if money borrowed under this section were borrowed under that Part.

(2) The Corporation shall repay sums borrowed under paragraph (b) of the foregoing subsection within five years from the date of borrowing.

(3) It shall not be lawful to exercise the powers of borrowing conferred by paragraph (a) of subsection (1) of this section except in compliance with any order for the time being in force under section 1 of the Borrowing (Control and Guarantees) Act 1946.



PART IV  
—cont.

Power to raise money by bearer bonds.

Power to raise money abroad.

1946 c. 58.

Power to borrow by issue of bills.  
1901 c. cxci.

1967 c. 9.

25. In addition to any other method by which the Corporation may raise any money which they are authorised to borrow, they may, with the consent of the Treasury and subject to such conditions as the Treasury may impose, raise the money by means of the issue of bearer bonds or other securities to bearer.

26.—(1) Any method by which the Corporation are empowered by any enactment to raise any money which they are authorised to borrow shall, notwithstanding anything in such enactment, be deemed to include the raising of money by that method outside the United Kingdom or in any foreign currency.

(2) The powers conferred by the foregoing subsection shall not be exercised except with the consent of the Treasury, and subject to such conditions as the Treasury may impose.

(3) The enactments empowering the Corporation to raise money shall have effect in relation to a transaction authorised by this section for the raising of money in a foreign currency as if for any reference in those enactments to sterling there were substituted a reference to the foreign currency and for any reference therein to a sum expressed in terms of sterling there were substituted a reference to the sum expressed in terms of the foreign currency (adjusted, where necessary, to produce an amount which the Corporation consider appropriate having regard to all the circumstances of the transaction).

(4) Nothing in this section shall be taken as exempting the Corporation from the provisions of any order under section 1 of the Borrowing (Control and Guarantees) Act 1946.

27.—(1) Section 44 (Provisions as to raising money by bills) of the Manchester Corporation Act 1901 as amended by the enactments mentioned in subsection (3) of this section is hereby further amended as follows:—

(a) in subsection (2) for the words “ so that the date be not less than three or ” there shall be substituted the words “ being a date not ”;

(b) the following shall be substituted for paragraph (b) of subsection (13)—

“ (b) one-fifth of the estimated gross rate income of the city during the then current financial year ”;

(c) in subsection (17A) after the words “ In this section ” there shall be inserted the words “ the expression ‘ gross rate income ’ means the gross rate income as used in the determination of the product of a rate of one penny in the pound under rules made pursuant to section 113 of the General Rate Act 1967 ”.

PART IV  
—cont.

(2) The said section 44 shall accordingly have effect as set out in Schedule 1 to this Act.

(3) The following enactments, namely section 86 of the Manchester Corporation Act 1903, section 50 of the Manchester Corporation Act 1908, section 89 of the Act of 1920, section 28 of the Manchester Corporation Act 1965 and section 33 of the Manchester Corporation Act 1967 are hereby repealed.

1903 c. ccxiii.  
1908 c. lxxxviii.  
1965 c. xlii.  
1967 c. xl.

## PART V

## EMPLOYEES AND PENSIONS

Collective  
title and  
definitions.

**28.**—(1) The Manchester Corporation (Pensions) Acts 1920 to 1965, Part VII (Pensions) of the Manchester Corporation Act 1967 and this Part of this Act shall be cited jointly as the Manchester Corporation (Pensions) Acts, 1920 to 1970.

(2) In this Part of this Act unless the context otherwise requires the words and expressions to which meanings are assigned by section 57 (Definitions) of the Act of 1920 or by article 2 of the Manchester Superannuation (Benefits) Scheme 1955 have the same respective meanings.

Investment  
of pension  
fund.

**29.**—(1) Section 70 (Use and investment of pension fund) of the Act of 1920 as amended by section 37 of the Manchester Corporation Act 1967 shall have effect as if in the proviso to subsection (2) of the said section 70—

(a) for the word “ qualifications ” there were substituted the word “ qualification ”; and

(b) paragraph (i) were omitted.

(2) For the purposes of the provisions of the said subsection (2) an investment in the units of a unit trust scheme or in participation certificates or in any form of participation under any trust or scheme having the effect of enabling persons to participate in the profits and income arising from the acquisition, holding, management or disposal of such stocks, funds, bonds, mortgages, debentures, debenture stock, convertible debenture stock, shares, obligations and other securities, or of such immovable property or interest in immovable property as are mentioned in that subsection shall be regarded as an investment in the stocks, funds, bonds, mortgages, debentures, debenture stock, convertible debenture stock, shares, obligations or other securities in question or in such immovable property or interest in immovable property.

Loans for  
investment in  
foreign  
securities.

**30.** For the purpose of enabling or facilitating the investment by the Corporation of any part of the pension fund in any of the stocks, funds or securities of the government of any foreign



country or state or in any bonds, debentures, debenture stock, convertible debenture stock, obligations or securities or stock or shares of any company registered or incorporated in a foreign country or state the Corporation may borrow in any foreign currency such money as the Corporation consider to be required for that investment and may deposit moneys or securities forming part of the pension fund as security for that loan.

31.—(1) For the purpose of calculating—

(a) a widow's pension under article 17 of the Manchester Superannuation (Benefits) Scheme 1955, the amount of the benefit to which the husband of the widow was entitled at the time of his death or (as the case may be) of any retirement pension to which he would have been entitled if he had been at that time such a contributor as is mentioned in sub-paragraph (a) of paragraph (1) of article 14 of the said scheme;

Widows' pensions, etc.

(b) the annuity payable to the spouse of a contributor under subsection (3) of section 45 (Annuities for spouses and dependants) of the Manchester Corporation Act 1946 (as amended by article 6 of the Manchester Superannuation (Benefits) Scheme 1955), the annual amount of the pension which would have been payable to the contributor had it not been reduced under subsection (2) of that section;

1946 c. xxxviii.

shall be deemed to include any addition to or increase of the pension or benefit made by the Corporation under subsection (2) of section 66 (Power to pension certain officers and servants) of the Act of 1920.

(2) Any increase in a widow's pension payable under article 17 of the Manchester Superannuation (Benefits) Scheme 1955 or in any annuity payable to the spouse of a contributor under subsection (3) of section 45 of the Manchester Corporation Act 1946 which is attributable to the provisions of this section shall be made or paid out of the fund rate revenue or account out of which the salary or wages of the husband or contributor was or were paid immediately before the date of his retirement.

32.—(1) Section 18 of the Local Government Superannuation Gratuities Act 1953 in its application to the Corporation shall have effect as if for the expression "to the widow or any other dependant" in subsections (1) and (2) there were substituted the words "to the widow, dependent widower or any other dependant".

1953 c. 25.

(2) For the purposes of the said section 18, as amended by this section, "dependent widower" means in relation to a female deceased former contributor a person who was the husband of the

PART V  
—cont.

deceased contributor at the time of her death and who is permanently incapacitated and is shown to the satisfaction of the Corporation to have been wholly or mainly dependent on her.

Civilian  
employees  
of police  
authority.  
1964 c. 48.

33.—(1) Notwithstanding anything contained in section 10 of the Police Act 1964 or the scheme or the designation of a superannuation fund made by the combined police authority under paragraph 5 of Schedule 5 to the scheme, the pension fund maintained by the Corporation under the Manchester Corporation (Pensions) Acts 1920 to 1970 shall be the appropriate superannuation fund for all civilian employees of the combined police authority and accordingly the Manchester pension provisions shall apply to civilians employed by the combined police authority or who have been so employed as they apply to contributors who are or have been officers or servants of the Corporation and shall have effect in relation to the said civilians as if the references therein to the officers or servants of the Corporation or to service of or under the Corporation included references to civilian employees of the combined police authority and to service as such an employee, but nothing in this subsection shall have the effect of conferring or imposing upon the combined police authority the functions of the Corporation under the Manchester pension provisions with respect to the making of a scheme or to the valuation investment or general administration of the pension fund.

(2) As from 1st October, 1970, every civilian who immediately before that day is employed by the Corporation or by the Salford Corporation and whose services are then used wholly or mainly by the combined police authority in accordance with section 4 (5) arrangements shall be transferred to and become an officer or servant of the combined police authority and paragraph 4 of Schedule 5 to the scheme shall apply to him as if he had been transferred by paragraph 8 of the scheme and as if the appointed day under the scheme was 1st October, 1970.

(3) (a) Schedule 4 to the scheme shall apply to civilians who on or after 1st April, 1968, are employed by the Corporation or the Salford Corporation and whose services are used wholly or mainly by the combined police authority in accordance with section 4 (5) arrangements.

- (b) For the purpose of the application of the said Schedule 4—
- (i) for references to “the appointed day” there shall be substituted references to 1st October, 1970;
  - (ii) for references to the employment of a person by the transferor authority solely or mainly for police purposes or to a person being in employment of the transferor authority solely or mainly for such purposes there shall be substituted references to the employment of that



person by, or to that person being in the employment of, the Corporation or the Salford Corporation when his services were used wholly or mainly by the combined police authority in accordance with section 4 (5) arrangements.

PART V  
—cont.

(4) (a) Paragraph 5 of Schedule 4 to the Police Act 1964 shall apply to a person transferred by subsection (2) of this section as if he had been transferred by the scheme. 1964 c. 48.

(b) For the purpose of the application of the said Schedule 4—

(i) for references to the date of transfer there shall be substituted references to the 1st October, 1970 ;

(ii) in sub-paragraph (6) for the words “ section 35 of the said Act of 1937 ” there shall be substituted “ section 79 of the Manchester Corporation Act 1920 ”;

1920 c. xcvi.

(iii) at the end of sub-paragraph (7) there shall be inserted the words “ but nothing in this paragraph shall operate so as to require a person transferred by section 33 (Civilian employees of police authority) of the Manchester Corporation Act 1970 to pay contributions to the designated fund at a higher percentage rate, or on a greater proportion of his remuneration, than the percentage rate or proportion for the time being prescribed by the Manchester pension provisions (as defined in the said section 33) for comparable officers or servants of the Corporation ”.

(5) Where a person transferred by subsection (2) of this section from the employment of the Salford Corporation ceases to be in the employment of the combined police authority and subsequently enters other employment in which he is a contributory employee for the purposes of the Local Government Superannuation Act 1937, then his service in the employment of the combined police authority shall be reckonable in the like manner and the employee shall in other respects have the like rights and be subject to the like obligations as if that service had been service in the employment of the Salford Corporation. 1937 c. 68.

(6) (a) The Local Government (Compensation) Regulations 1963 shall apply in relation to a person who suffers loss of employment or loss or diminution of emoluments which is attributable to the provisions of subsection (2) of this section as they apply to a person who suffers such loss or diminution which is attributable to the provisions of the scheme.

(b) Notwithstanding anything contained in paragraph 13 of the scheme the material date for the purposes of regulations 3 and 5 (1) of the said regulations shall be 1st October, 1970.

(7) Any person who immediately before 1st October, 1970, is a member of the Manchester Municipal Officers' Widows' and

PART V  
—cont.  
1946 c. xxxviii.

Orphans' Pensions Fund, the trust deed of which was confirmed by the Manchester Corporation Act 1946 and who by virtue of this section is transferred to the services of the combined police authority may remain a member of the Manchester Municipal Officers' Widows' and Orphans' Pensions Fund as long as he remains an employee of the combined police authority and the provisions of the said trust deed shall have effect in relation to him as if his employment with the combined police authority were employment in the service of the Corporation.

(8) In this section—

“the combined police authority” means the Manchester and Salford Police Authority;

“the Manchester pension provisions” means the provisions of the enactments, and of the schemes and other instruments for the time being in force thereunder, which relate to the pension fund (including the provisions of the Local Government Superannuation Acts 1937 to 1953 and of any relevant instruments thereunder so far as applicable to the pension fund);

“the Salford Corporation” means the mayor, aldermen and citizens of the city and county borough of Salford;

“the scheme” means the Manchester and Salford Police Amalgamation Scheme 1968 appended to the Manchester and Salford Police (Amalgamation) Order, 1968;

“section 4 (5) arrangements” means arrangements made under subsection (5) of section 4 of the Police Act 1964.

1964 c. 48.

Transfer of  
certain sums  
from pension  
fund.

34. If a contributor is dismissed for fraud, dishonesty or misconduct involving pecuniary loss or being liable to dismissal for any such reason resigns his office or employment, the Corporation may transfer from the pension fund to the general rate fund or to the revenue account of any undertaking or service of the Corporation the accounts of which do not form part of the general rate fund (as the case may be) or on request pay to any employing authority whose employees participate in the benefits of the pension fund such amount not exceeding the whole or any part of any contributions and interest thereon not returned to the contributor under subsection (4) of section 63 (Return of contributions during contributor's lifetime) of the Act of 1920 as amended by article 12 of the Manchester Superannuation (Benefits) Scheme 1955 as may be determined by the treasurer to represent such loss.

Pension fund  
schemes.

35.—(1) The Corporation may make a scheme for disposing of any surplus of the pension fund disclosed by any actuarial valuation of the fund made under section 69 (Quinquennial



investigation) of the Act of 1920 (as amended by section 33 (Deficiency contribution) of the Manchester Corporation Act 1965).

PART V  
—cont.  
1965 c. xlii.

(2) A scheme under this section shall not prejudice any right or accrued benefits to which a person, who on the date of the coming into operation of the scheme is a contributor, is entitled immediately prior to that date without his written consent.

(3) A scheme made under this section shall be submitted to the Minister and he may if he sees fit at any time within six months of its submission disapprove it or require the submission of a new scheme:

Provided that the Minister shall before coming to a decision upon the scheme consult with such organisations as are in his opinion representative of the interests concerned.

## PART VI

### MISCELLANEOUS

36.—(1) The Corporation may enter into and carry into effect agreements with any person with respect to the provision, maintenance and management of an exhibition hall or exhibition halls within or outside the city. Exhibition hall.

(2) Without prejudice to the generality of the provisions of subsection (1) of this section any agreement made under that subsection may provide for all or any of the following matters:—

- (a) a grant by either party of a lease of land, the use of land and the construction or provision of buildings for use as an exhibition hall;
- (b) the improvement of an exhibition hall;
- (c) the control and management of an exhibition hall;
- (d) the insurance of buildings used for the purpose of an exhibition hall and the contents thereof;
- (e) the making of contributions or the advancement of moneys by the Corporation towards the expenditure incurred in the provision and maintenance of an exhibition hall;
- (f) the apportionment of profits and losses and other financial matters.

(3) The Corporation may provide and maintain either alone or jointly with any person an exhibition hall and in relation to such hall exercise either alone or jointly with such person the following powers with respect thereto:—

- (a) they may use and manage the exhibition hall for the purpose of exhibitions, entertainments, displays, concerts, meetings, sports, games and other similar purposes;

PART VI  
—cont.—

1970 c. 10

- (b) (i) they may subject to the provisions of all enactments relating thereto sell and supply or enter into any agreement or arrangement with any person to sell or supply or let any rights (exclusive or otherwise) of selling or supplying services including the provision of refreshments to the public resorting to and using the exhibition hall;
- (ii) they or any person appointed by them in that behalf may apply for and hold licences for the sale of intoxicating liquor for the purposes of this subsection;
- (c) they may allow any person to have the use of the whole or any part or parts of the exhibition hall on such terms and subject to such conditions as they think fit;
- (d) they may make or allow to be made such charges (including charges for admission of the public) as they think fit for or in connection with the use of the exhibition hall for all or any of the purposes aforesaid.

1948 c. 26. (4) If the Corporation exercise any of the powers conferred by section 132 of the Local Government Act 1948 in relation to the whole or any part of the exhibition hall the cost of maintaining and managing the exhibition hall and any loan charges in relation thereto shall not be taken into account for the purpose of determining whether any and if so what expenditure may be incurred in any year under subsection (3) of the said section 132.

(5) For the purposes of this section an exhibition hall shall include all necessary offices, restaurants, shops, cloakrooms, parking places for vehicles and other buildings and premises comprised in the development of which the exhibition hall forms part.

Agreements  
with  
developers.  
1965 c. xlii.

37. Section 9 (Agreements with developers) of the Manchester Corporation Act 1965 shall have effect as if the following paragraph were inserted after paragraph (d) of subsection (1)—

“(dd) the use by the public of any paths or ways, which are not dedicated to the public, over that land or over a part or parts of any building or structure which is comprised in the development of that land, upon such terms and conditions as may be specified in the agreement (including terms and conditions as to the maintenance and cleansing of the surface of such paths or ways and the lighting of any building or structure over or above such paths or ways and the maintenance of any support of such paths or ways).”



38. Section 18 (Entertainment clubs) of the Manchester Corporation Act 1965 shall have effect as if—

PART VI  
—cont.

Entertainment clubs.  
1965 c. xlii.

(1) the following sub-paragraphs were substituted for sub-paragraphs (iii) and (iv) of paragraph (a) of subsection (8):—

- “ (iii) the maintenance in safe condition of means of heating the premises;
- (iv) the hours of opening and closing the premises for the entertainment club; and
- (v) ensuring that nuisance is not likely to be caused to residents in the neighbourhood ”;

(2) the following sub-paragraph were inserted at the end of paragraph (a) of subsection (15):—

- “ (v) any premises in respect of which there is in force for the time being a licence under the Gaming Act 1968 ”.

1968 c. 65.

39. The person making an application for the grant, renewal or transfer of a licence under section 25 (Places for dancing, music and other public entertainments to be licensed) of the Manchester Corporation Act 1882 as amended by section 31 of the Manchester Corporation Act 1891 and section 95 of the Manchester Corporation Act 1934 shall pay to the justices—

Fees for music and dancing licences.  
1882 c. cciii.  
1891 c. ccvii.  
1934 c. xcvi.

- (a) in respect of an application for the grant of a licence a fee of five pounds;
- (b) in respect of the renewal of a licence such fee as the justices may fix not exceeding five pounds;
- (c) in respect of the transfer of a licence such fee as the justices may fix not exceeding one pound five shillings.

40.—(1) Subject to the provisions of this section the council may, if they think fit, by resolution direct that an allowance by way of discount not exceeding 2½ per cent. shall be made on the amount due in respect of the water rate from every person who (not being a tenant or licensee of the Corporation who pays his water rate as part of his rent) is the occupier of and resides or is usually resident in a hereditament which either is a dwelling-house or, though not a dwelling-house, is within the meaning of subsection (3) of section 115 of the Act of 1967 used mainly for the purposes of a private dwelling or private dwellings and who pays the amount due by way of water rate on that hereditament before such date or respective dates as the council may specify.

Discount for prompt payment of water rates.

**PART VI**  
—*cont.*

(2) Subject to the provisions of this section the council may, if they think fit, by resolution direct that an allowance by way of discount not exceeding  $2\frac{1}{2}$  per cent. shall be made on the amount due in respect of the water rate on any hereditament from every person who pays the amount due before such date or respective dates as the council may specify:

Provided that a person shall not be entitled to an allowance by virtue of a resolution passed by the council under this subsection in respect of any hereditament in respect of which he is for the time being entitled to an allowance by virtue of a resolution passed by the council under subsection (1) hereof.

(3) An allowance under this section shall not be made in respect of a hereditament—

- (a) where the person paying the water rate on that hereditament is an owner who is entitled to any of the allowances for which provision is made by sections 55 and 56 of the Act of 1967 as applied by section 61 (Application of section 11 of Rating and Valuation Act 1925 to water rates and rents) of the Manchester Corporation Act 1958 or an allowance under section 44 (As to certain water rents) of the Manchester Corporation Act 1965; or
- (b) where a person who pays the water rate on that hereditament is also liable to pay the general rate on that hereditament and the amounts due in respect of the water rate and the general rate in respect of that hereditament are not paid before such date or respective dates as the council may specify; or
- (c) to any person who elects to pay the general rate on that hereditament by instalments under subsection (1) of section 50 of the Act of 1967 and does not withdraw his election.

(4) Any allowance made by a resolution passed by the council under subsection (1) or subsection (2) of this section shall be made at the same rate to all persons entitled to it.

(5) The council may at any time revoke or vary a resolution under this section.

(6) While any resolution under this section is in force, there shall be included in every demand note on which the water rate is levied a statement of the effect of the resolution.

(7) In this section the expression “water rate” means a rent payable under section 96 (Water other than for domestic purposes to be supplied by agreement) of the Manchester Corporation

1925 c. 90.

1958 c. vii.

1965 c. xlii.



Waterworks Act 1847 for water supplied otherwise than by meter within the city or a domestic water rate made and levied under section 111 (Council to make a water rate on the occupiers of dwelling-houses etc. to be called "the domestic water rate") of the said Act of 1847.

PART VI  
—cont.  
1847 c. cciii.

41.—(1) The Corporation and any rating authority may enter into and carry into effect agreements whereby the rating authority may be authorised to demand, collect and recover as agents of the Corporation, the water rate, rent and charges, or any class of the rates, rents and charges, which the Corporation are authorised to make and levy for and in connection with the supply of water to premises within the area of that rating authority.

Demanding  
and recovery  
of water  
rate, etc.,  
by rating  
authorities.

(2) Any such water rate, rent and charge may be demanded and collected by such rating authority together with the general rate of their area, and the same books and forms of demand note and receipt may be used for such general rate and such water rate, rent and charge.

(3) Where the Corporation and any rating authority enter into an agreement under subsection (1) of this section, then notwithstanding anything contained in any other enactment—

(a) any water rate, rent or charge may (without prejudice to any other right or remedy of the Corporation) be recoverable by such rating authority in the same manner and subject to the same provisions as apply to the recovery of the general rate of their area;

(b) any summons relating to a sum due to such rating authority as agents for the Corporation in respect of any water rate, rent or charges may be served and any warrant relating to a sum due to the rating authority as agents for the Corporation in respect of any water rate, rent or charges may be directed to the same persons as and executed in the same way as if it related to the general rate of their area.

(4) Where the Corporation and any rating authority enter into an agreement under subsection (1) of this section and the rating authority make an allowance to a person who is the owner or occupier of any premises within the area of the rating authority in respect of the general rate levied on those premises they may make to that person an allowance at the same rate per centum and subject to the same conditions from the amount due in respect of any water rate, rent or charges on those premises and for this purpose—

(a) the council may resolve that on and after such date as may be specified in the resolution the provisions of sections 55, 56, 57 and 59 of the Act of 1967 (which relate

PART VI  
—cont.

1847 c. cciii.

to the rating of and collection of rates by owners) shall apply to the water rent made and levied by the Corporation under section 93 (Rates at which Mayor, Aldermen and Burgesses are to supply water) of the Manchester Corporation Waterworks Act 1847 within the area of the rating authority, and on and after the date specified in the resolution the provisions of the said sections 55, 56, 57 and 59 shall apply to the water rent levied within the area of the rating authority as they apply to the general rate levied by the rating authority;

- (b) the council may resolve that in respect of hereditaments in the area of the rating authority of such classes or description as the council may specify (being hereditaments of the classes referred to in sections 55 and 56 of the Act of 1967 or any order made thereunder) the rating authority shall be authorised to make to the owner of any such hereditament an allowance not exceeding 10 per cent. of the amount due in respect of rate, rent or charge for the supply of water thereto supplied otherwise than by meter under section 96 of the Manchester Corporation Waterworks Act 1847 if he pays the rate, rent or charge due in compliance with such terms and conditions as the council may specify;
- (c) section 40 (Discount for prompt payment of water rates) of this Act shall apply to the water rate, rent or charges recoverable by a rating authority as agents of the Corporation by virtue of this section, subject to the following modifications:—
- (i) for the references to the council or the Corporation there shall be substituted a reference to that rating authority;
  - (ii) in paragraph (a) of subsection (3) for the allowances therein mentioned there shall be substituted a reference to any of the allowances for which provision is made in paragraphs (a) and (b) of this subsection;
  - (iii) the following subsection shall be substituted for subsection (7):—
- “ (7) In this section the expression ‘ water rate ’ means a rent or charge for the supply of water for domestic use made and payable under section 93 (Rates at which Mayor Aldermen and Burgesses are to supply water) of the Manchester Corporation Waterworks Act 1847 or a rate, rent or charge payable under section 96 (Water other than for domestic purposes to be supplied by agreement) of that Act for water supplied otherwise than by meter within the area of the rating authority.”.



(5) (a) Any book or other record used by such rating authority under this section for the general rate of their area and for water rates, rents and charges shall be deemed to be the rate record the rating authority are required to provide, keep or use under and for the purposes of any enactment for the time being in force relating to the making and levying of the general rate of their area and the provisions of any such enactment shall, subject to the necessary adaptations, be construed accordingly.

(b) Any demand note used by such rating authority for the purposes of this section shall for the purpose of any enactments relating to the general rate of their area or to any water rate, rent or charges be deemed to be a demand note which is required or authorised to be used under those enactments.

(6) A rating authority with whom an agreement is made under this section shall be allowed to retain in every year from the Corporation in respect of the services rendered by them in carrying out the agreement such sum as may be agreed.

(7) Any resolution under this section may be rescinded without prejudice to the right of the council at any time to pass a further resolution.

(8) (a) The Corporation shall cause to be published in a local newspaper circulating in the area of the rating authority concerned notice of the passing of a resolution under paragraph (a) of subsection (4) of this section and of the date therein specified.

(b) Either—

(i) a copy of any such newspaper containing any such notice; or

(ii) a photostatic or other reproduction certified by the town clerk to be a true reproduction of a page or part of a page of any such newspaper bearing the date of its publication and containing any such notice;

shall be evidence of the publication of the notice and of the date of the publication.

(9) In this section “the owner” means in relation to a hereditament the person who is entitled to receive the rent payable in respect thereof, or where the hereditament is occupied free of rent, the person by whose permission it is so occupied.

42.—(1) The enactments specified in column (1) of Schedule 2 to this Act shall have effect as if the maximum amount of the fine which may be imposed on conviction of contravention of any byelaw made thereunder were twenty pounds instead of the amount specified in column (2) of that schedule. Increase of penalties under byelaws.

PART VI  
—cont.

(2) Any byelaws in force at the date of the passing of this Act and made under an enactment specified in column (1) of Schedule 2 to this Act shall have effect as if the maximum amount of the fine which may be imposed on conviction of contravention of such byelaws were twenty pounds instead of the amount specified in column (2) of the said schedule.

## PART VII

## GENERAL

Local  
inquiries.

**43.**—(1) Any Minister of the Crown may cause such local inquiries to be held as he may consider necessary for the purpose of any of his functions under this Act.

(2) Subsections (2) to (5) of section 290 of the Act of 1933 shall apply in relation to any such inquiry; and for that purpose the definition of “department” in subsection (8) of that section shall include any Minister of the Crown having functions under this Act as well as the Ministers therein mentioned.

1946 c. 31.

(3) In this section “Minister of the Crown” has the same meaning as in the Ministers of the Crown (Transfer of Functions) Act 1946.

Restriction  
on right to  
prosecute.

**44.** The written consent of the Attorney-General shall be requisite for the taking of proceedings in respect of an offence created by or under this Act by any person other than a party aggrieved or the Corporation.

Saving for  
Exchange  
Control Act  
1947.  
1947 c. 14.

**45.** Nothing in this Act shall be taken as exempting the Corporation from the provisions of the Exchange Control Act 1947.

Application  
of general  
enactments.

**46.** The sections of the Act of 1936 mentioned in Schedule 3 to this Act shall have effect as if references therein to that Act included references to this Act.

Costs of Act.

**47.** All the costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act shall be paid by the Corporation.



## SCHEDULES

### SCHEDULE 1

Section 27.

#### MANCHESTER CORPORATION ACT 1901, SECTION 44 (PROVISIONS AS TO 1901 c. cxcii. RAISING MONEY BY BILLS) AS AMENDED

44. Instead of raising for any purposes by the creation and issue of stock or of mortgages money which they are authorised to raise by either of those methods (whether under this Act or any other Act of Parliament or otherwise howsoever) the Corporation may if they see fit raise for those purposes such money by means of bills subject to and in accordance with the following provisions:—

- (1) Bills issued by the Corporation shall be called “ Manchester Corporation bills ”:
- (2) A Manchester Corporation bill shall be a bill in the form prescribed by regulations made in pursuance of this Act for the payment of the sum named therein in the manner and at the date therein mentioned being a date not more than twelve months from the date of the bill:
- (3) Such bills may be offered for purchase by tender in such manner and on such conditions as the Corporation determine:
- (4) The bills shall be issued under the authority of a resolution passed by the council:
- (5) Each bill shall be for the amount directed by the Corporation not being less than one thousand pounds:
- (6) Each bill shall bear the signature of the Treasurer of the city or of some other person authorised by the council:
- (7) A register of the bills issued or renewed by the Corporation shall be kept by the Treasurer of the city or such other person as may be appointed by the Corporation and such register shall show the amount of each bill the principal money raised by such bill the statutory borrowing power in respect of which the bill is issued the date of issue the date when the same falls due and the date of payment thereof. Such register shall at all reasonable times be open to inspection without payment of any fee by any creditor of the Corporation:
- (8) The Corporation may issue bills payable to bearer:
- (9) The Corporation shall before issuing any bill under this Act and from time to time make regulations with respect to bills subject to and in accordance with this Act and shall furnish to the Minister of Housing and Local Government a copy of any regulations so made. Such regulations shall provide—
  - (A) For regulating the preparation form mode of issue mode of payment and cancellation of bills;
  - (B) For regulating the issue of a new bill in lieu of one defaced lost or destroyed;
  - (C) For preventing by the use of counterfoils or of a special description of paper or otherwise fraud in relation to bills;

SCH. 1  
—cont.

(D) For the proper discharge to be given upon the payment of a bill:

- (10) The Corporation may enter into such arrangements with any bank for carrying into effect the provisions of this Act with respect to the issue of bills and to the payment of the principal sum named therein and to all matters relating thereto and for the proper remuneration of such bank with reference thereto as they may think proper. Such remuneration shall be apportioned between the several funds or rates to which the principal moneys raised by the bill are chargeable:
- (11) The amount of money received by the Corporation in respect of a bill shall be deemed to be principal money raised by means of such bill and the difference between the amount payable in respect of a bill and the amount received in respect thereof shall be deemed to be interest on the principal money so raised:
- (12) The Corporation shall provide from the same source and pay at the appropriate times into a sinking fund or sinking funds the same sums for repayment of the principal money so raised as they would have done if mortgages of the same amount had been issued and such fund or funds shall be dealt with in the same manner as if the same were a mortgage sinking fund and the Corporation shall pay the interest on the principal money out of the fund or rate to which the principal money so raised is charged:
- (13) The aggregate amount payable on bills current at any one time shall not exceed—
  - (a) the sum of three million pounds; or
  - (b) one-fifth of the estimated gross rate income of the city during the then current financial year;whichever is the greater, except by the amount payable on bills issued shortly before any other bills fall due in order to pay off such last-mentioned bills:
- (14) The Corporation may subject to the provisions of the preceding subsection renew bills at maturity:
- (15) Money raised by the issue of bills shall be employed by the Corporation for the purposes of the several statutory borrowing powers in respect of which the bills are respectively issued and any purpose for which the revenues of the Corporation may properly be applied:
- (16) For the repayment of the principal money raised by bills the Corporation may raise money by the creation of stock or issue of mortgages or further bills but save as aforesaid the powers given to the Corporation to raise moneys by the creation of stock or mortgages shall be suspended to the extent to which moneys have been raised by the issue of bills:
- (17) A Manchester Corporation bill shall entitle the holder to payment at maturity of the sum expressed in such bill to be



payable and shall be charged on all the revenues of the Corporation:

SCH. 1  
—cont.

- (17A) In this section the expression “gross rate income” means the gross rate income as used in the determination of the product of a rate of one penny in the pound under rules made pursuant to section 113 of the General Rate Act 1967, the 1967 c. 9. expression “revenues” in relation to the Corporation has the same meaning as in section 218 of the Local Government Act 1933 c. 51. 1933, and the expression “undertakings” means such undertakings as are from time to time managed or maintained by the Corporation:
- (18) The Treasurer of the city shall within twenty-one days after the thirty-first day of March in any year during which any bills have been issued paid off or are outstanding under this section transmit to the Minister of Housing and Local Government a return in such form as the Minister may prescribe and containing all such particulars as he may require in regard to the issue and payment of bills by the Corporation.

Section 42.

SCHEDULE 2  
INCREASE OF FINES

	Enactment (1)	Old maximum fine (2)
	The Act of 1844—	
	Section 130 (Byelaws as to slaughterhouses) ... ..	£5
	Section 174 (Hackney carriage Drivers, Porters &c.) ...	£5
1845 c. cxli.	Manchester Improvement Act 1845— Section 65 (Power to make Byelaws preventing Nuisances in Courts and Passages, &c.)	£5
1846 c. ccxix.	Manchester Market Act 1846— Section 56 (Council may make byelaws for regulating markets) Section 57 (Byelaws to be enforced under penalty) ...	£5
1853 c. xci.	Manchester New Streets Act 1853— Section 54 (Council may make Byelaws regulating Col- lection and Disposal of Filth &c.)	£5
1865 c. xc.	Manchester Improvement Act 1865— Section 23 (Byelaws as to new streets) as amended by subsequent legislation	£5
1889 c. cxvii.	The Order relating to the city of Manchester confirmed by the Local Government Board's Provisional Orders Confirmation (No. 16) Act 1889—Article V	£5
1867 c. xxxvi.	Manchester Corporation Waterworks and Improvements Act 1867— Section 44 (Power to make Byelaws for regulating Cemeteries, Parks or Places of Recreation) Section 45 (Corporation may impose Penalties for Breach of Byelaws)	£5
1872 c. xxxi.	Manchester Corporation Waterworks and Improvement Act 1872— Section 30 (Power to make byelaws as to sanitary purposes) Section 31 (Penalties for byelaws made under Act) ...	£5
1875 c. clxi.	Manchester Corporation Waterworks and Improvement Act 1875— Section 47 (Byelaws as to public slaughterhouses) (provisions of Manchester Market Act 1846 as to byelaws applied)	£5
1882 c. cciii.	Manchester Corporation Act 1882— Section 45 (Byelaws for prevention of danger from telegraph wires &c.)	£5
1903 c. ccxiii.	Manchester Corporation Act 1903— Section 77 (Registries for servants) ... ..	£5



SCH. 2  
—cont.

Enactment (1)	Old maximum fine (2)	
Manchester Corporation Act 1911— Section 52 (Regulation of street collections) ... ..	£2	1911 c. cviii.
Manchester Corporation Act 1924— Section 80 (Byelaws as to establishments for massage or special treatment)	} £5	1924 c. xcv.
Section 81 (Penalties for offences in respect of establish- ments for massage &c.)		
Section 91 (Registration of theatrical agencies) ...		
Manchester Corporation Act 1946— Section 42 (Registration of hairdressers and barbers and premises)	£2	1946 c. xxxviii.

Section 46.

## SCHEDULE 3

## SECTIONS OF ACT OF 1936 APPLIED TO THIS ACT

Section	Marginal note
271	Interpretation of "provide".
283	Notices to be in writing; forms of notices, &c.
286	Proof of resolutions, &c.
288	Penalty for obstructing execution of Act.
296	Summary proceedings for offences.
297	Continuing offences and penalties.
304	Judges and justices not to be disqualified by liability to rates.
328	Powers of Act to be cumulative.
341	Power to apply provisions of Act to Crown property.

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# Manchester Corporation Act 1970

## CHAPTER ii

### ARRANGEMENT OF SECTIONS

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##### PRELIMINARY

Section

1. Short and collective titles.
2. Division of Act into Parts.
3. Interpretation.

#### PART II

##### HACKNEY CARRIAGES, ETC.

4. Interpretation for Part II.
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6. Fixing of fares for hackney carriages.
7. Stands for hackney carriages.
8. Prohibition of other vehicles on hackney carriage stands.
9. Transfer of hackney carriages, etc.

## Section

10. Recovery of charges for inspections.
11. Fees for drivers' licences.
12. Suspension and revocation of proprietors' licences.
13. Suspension and revocation of drivers' licences.
14. Fitness of hackney carriages, etc.
15. Qualifications for drivers of hackney carriages, etc.
16. Penalty on persons refusing to pay fare.
17. Corporation may extend period of hackney carriage drivers' licences, etc.
18. Power to require applicants to submit information.
19. Provision as to byelaws.

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25. Power to raise money by bearer bonds.
26. Power to raise money abroad.
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Section

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- 45. Saving for Exchange Control Act 1947.
- 46. Application of general enactments.
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SCHEDULES:

Schedule 1—Manchester Corporation Act 1901, section 44 (Provisions as to raising money by bills) as amended.

Schedule 2—Increase of fines.

Schedule 3—Sections of Act of 1936 applied to this Act.